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Attorney Docket No. AROOP9909USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of:

Applicant: Scott R. Gilbert
Serial No.: 09/876,799
Filed: June 7, 2001
Title: BOUQUET CONTAINER
Examiner: Not yet known
Art Unit: 3643

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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

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Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120:

Serial No.: _____
Filing Date: _____

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) ____ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) X Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (**one must be checked**):

- (a) X Within 3 months of the filing date or date of entry into the National Stage.
- (b) ____ Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988 for consideration of this Statement.
- (c) ____ Before the mailing date of a first Office Action on the merits after a first or second submission after final rejection under 37 C.F.R. 1.129(a).



(d) ___ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) ___ The required certification is given below, or

(2) ___ Enclosed is a check for \$240.00 covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or

(3) ___ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988

(e) ___ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) ___ Enclosed is a check for \$130.00 covering the fee set forth in 37 C.F.R. 1.17(i)(1), or

(2) ___ Charge the fee set forth in 37 C.F.R. 1.17(i)(1) to Deposit Account No. 18-0988.

4. Certification (if applicable)

(a) ___ The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

(b) ___ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 18-0988 under Attorney Docket No. AROOP9909USA.

Respectfully Submitted,
RENNER, OTTO, BOISSELLE & SKLAR, LLP

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By Gordon D. Kinder

Gordon D. Kinder

Reg. No. 29,081

SEP 12 2001

1621 Euclid Ave.
Nineteenth Floor
Cleveland, Ohio 44115
Tel: 216.621.1113
Fax: 216.621.6165

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Date: 9/6/01

Amanda L. Amato

Amanda L. Amato



Attorney Docket No. AROOP9909USA

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Concise Explanation of Relevance of Non-English Language Documents

French Patent No. 1,432,770 shows a trapezoidal sleeve for flowers which is initially closed on three sides, and appears to be closed across the top of Figure 6.

French Patent No. 2,036,163 appears to show a floral carrier with handles which meet above the top of the plant.

French Patent No. 2,651,663 appears to show a decorative sheet for flowers or plants which starts as a flat sheet and which is gathered by forming random pleats into a cone shaped container.

Swiss Patent No. 393,176 appears to show a bag for carrying flowers with what may be openings to form handles.